

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY BAYAD,

Plaintiff,

V.

JOHN CHAMBERS, PATRICIA RUSSO,
ANTHONY SAVASTANO, and
CARL WIESE,

Defendants.

CIVIL ACTION NO. 04-10468-PBS

**DEFENDANTS JOHN CHAMBERS, ANTHONY SAVASTANO,
AND CARL WIESE'S OPPOSITION TO PLAINTIFF'S MOTION OF RELIEF
OF DAMAGES SOUGHT AGAINST CHAMBERS ET AL.**

Defendants John Chambers, Anthony Savastano, and Carl Wiese¹ (“defendants”) oppose plaintiff Anthony Bayad’s (“Bayad’s”) “Motion of Relief of Damages Sought Against Chambers et al.” (the “Motion”), Docket Entry #121. The Motion requests the Court to order defendants to pay Bayad damages for pain and suffering, but does not state any legal or factual justification for such an award. This is an understandable omission, as no grounds for relief exist.

In addition to having no substantive basis, the Motion is also procedurally flawed. It fails to comply with either Fed. R. Civ. P. 7(a)(1)'s requirement that requests for orders "state with particularity" the moving party's grounds for relief, or Local Rule 7.1(B)(1)'s requirement that "a memorandum of reasons, including citation to supporting authorities"

¹ This Court dismissed all of the claims against the remaining named defendant, Patricia Russo, on October 25, 2004. See Memorandum and Order, Docket Entry #44 at 10.

accompany each motion. Bayad's status as a pro se defendant does not insulate him from either obligation. Ahmed v. Rosenblatt, 118 F.3d 886, 890 (1st Cir. 1998) ("pro se status does not insulate a party from complying with procedural and substantive law"). The Motion should consequently be denied.

Respectfully submitted,

DEFENDANTS JOHN CHAMBERS,
ANTHONY SAVASTANO, and
CARL WIESE

By their attorneys,

/s/ Matthew Iverson

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Dated: November 30, 2005

CERTIFICATION OF SERVICE

I hereby certify that a true copy of the above
document was served upon the attorney of record
for each other party by mail (by hand) on 11/30/05
Federal Express

